IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 5314 of 2005

Between:

1 Islamia Educational Society, rep. by its Secretary,
Mr. Khader Khan s/o Makdoom Khan.
2 National College of Education, New Bowenpally Main Road, Secunderabad, rep. by Secretary Islamia Educational Society, Mr. Khader Khan s/o Makdoom Khan
3 Rabindranath Tagore Educational Society, rep. by its President Mr. Khader Khan s/o Makdoom Khan
4 Rabindranath Tagore College of Education, New Bowenpally Main Road, Secunderabad, rep. by its President Mr. Khader Khan s/o Makdoom Khan.
5 Khader Khan S/o Makdoom Khan, R/o 104, Garunda Seshasai Apartments, Tarnaka, Secunderabad.

..... PETITIONERS

AND

1 Government of Andhra Pradesh, School Education Department, rep. by its Principal Secretary, Secretariat, Saifabad, Hyderabad.
2 Government of Andhra Pradesh, Minority Welfare Department, rep. by its Principal Secretary, Secretariat, Saifabad, Hyderabad.
3 Convenor, Admissions Edcet 2004-05.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction and more particularly one in the nature of writ of "Mandamus" declaring the action of the 1st respondent in issuing G.O.Ms.No. 26 dated 3-2-2005 and in providing in Rule 6 thereof that in unaided minority educational institution 30% seats would be filled up through common merit list by the Convenor, Edcet as being illegal, arbitrary, without jurisdiction and contrary to the judgment of the Hon'ble Supreme Court of India

and strike down rule 6 thereof providing of such stipulations being ultra vires and unconstitutional and pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.S.NIRANJAN REDDY

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following:

ORDER:

Mr.P.Pandurangareddy, appearing on behalf of Mr. S.Niranjan Reddy, the learned Counsel for the petitioner, seeks permission to withdraw the writ petition.

Permission granted.

Writ Petition is dismissed as withdrawn.

22.03.2005

MRKR

To

1 The Government of Andhra Pradesh, School Education Department, rep. by its Principal Secretary, Secretariat, Saifabad, Hyderabad.
2 The Government of Andhra Pradesh, Minority Welfare Department, rep. by its Principal Secretary, Secretariat, Saifabad, Hyderabad.
3 The Convenor, Admissions Edcet 2004-05.

4 Two C.Cs to the government Pleader for Social Welfare, High Court Buildings, Hyderabad.

5 Two C.D.copies.

*Form-NIC-OGS/WP{**AVLR**}*